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10-19-01

Atty. Dkt. No. 016778-0432

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**



Applicant: Gen MOTOYOSHI

CDMA COMMUNICATION SYSTEM CAPABLE OF  
FLEXIBLY ASSIGNING SPREADING CODES TO A  
CHANNEL IN ACCORDANCE WITH TRAFFIC

Appl. No.: 09/888,393

**RECEIVED**

SEP 04 2001

Filing Date: 06/26/2001

Technology Center 2600

Examiner: Unassigned

Art Unit: Unassigned

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Commissioner for Patents  
Box PATENT APPLICATION  
Washington, D.C. 20231

Sir:

Submitted herewith on Form PTO-1449 is a listing of documents known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

**TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(b), within three (3) months of the filing date of the application.

**RELEVANCE OF EACH DOCUMENT**

The relevance of the foreign-language documents is described in the present specification.

Document A3 relates to Document A1, and Document A4 relates to Document A2.

English translations of the foreign-language documents is not readily available. However, the absence of such translations does not relieve the PTO from its duty to consider the submitted foreign language documents (37 CFR §1.98 and MPEP §609). English abstracts are attached.

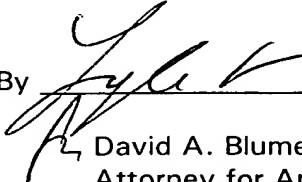
Applicant respectfully requests that any listed documents be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO-1449 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise

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improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

By  LYLE KIMMS  
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Date August 23, 2001

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Form PTO-1449 (MODIFIED)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. 016778-0432		SERIAL NO. 09/888,393	
<b>INFORMATION DISCLOSURE CITATION</b>  <i>(Use several sheets if necessary)</i>		APPLICANT		Gen MOTOYOSHI			
		FILING DATE 06/26/2001		GROUP ART UNIT Unassigned			
<b>U.S. PATENT DOCUMENTS</b>							
EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE IF APPROPRIATE
	A1	5,887,023	3/99	Mabuchi	375	202	
O I P E	A2	6,011,787	1/00	Nakano et al.	370	335	
AUG 23 2001 PATENT & TRADEMARK OFFICE	SC177						RECEIVED SEP 04 2001 Technology Center 2600
<b>FOREIGN PATENT DOCUMENTS</b>							
REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION	
						YES	NO
A3	09-214404	8/97	Japan				Abstr.
A4	09-312885	12/97	Japan				Abstr.
A5	06-104865	4/94	Japan				Abstr.
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>							
EXAMINER				DATE CONSIDERED			
<p>* EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include any copy of this form with next communication to applicant.</p>							